

MINUTES

CASE NUMBER: 1:23-MC-00235-SOM-RT
CASE NAME: In Re: Civil Beat Law Center for the Public Interest
ATTY FOR MOVANT: Brian Black
ATTYS FOR INTERESTED PARTY: Micah Smith
Ken Sorenson
ATTY FOR INTERESTED PARTY: Birney Bervar

JUDGE: Susan Oki Mollway REPORTER: Debi Read
DATE: 04/14/2023 TIME: 11:00am-12:05pm

COURT ACTION: EP: In Re: [5]United States of America's Motion for Stay of Proceedings.

Oral arguments heard.

[5]United States of America's Motion for Stay of Proceedings-**DENIED**.

By 4/24/2023, the Government shall respond to the motion to unseal the downward departure motion. The response shall be filed for public viewing and may address what, if any, constitutional and/or common law standards apply when material is sealed.

Alternatively, the Government may state that it is reserving that issue, in which event the Government shall articulate the standard it is presently applying. In either event, the Government shall number the paragraphs in the downward departure motion and, for each numbered paragraph, identify in its response to the motion to unseal any words or sentences it contends must remain sealed to avoid negative impact. Any such identification shall be accompanied by a description of the asserted negative impact and the nature of the evidence that such a negative impact is likely to result. If the Government believes for a particular paragraph that it cannot provide any description of the negative impact or summarize the supporting evidence without prejudicing its investigation or otherwise creating or increasing some risk, the Government should so indicate for that particular paragraph.

By 5/01/2023, Mr. Black shall file a response to the government's briefing.

Hearing on the Motion to Unseal, is SET for 5/9/2023 at 10:00 AM, in person, before the Honorable Susan Oki Mollway.

Submitted by: Theresa Lam, Courtroom Manager